

Intermodal Review Committee

June 13, 2006 Minutes

Meeting called to order at 7:08 p.m.

Members present: Chair Dave Drovetta, Mark Raney, Brian Rapplean, Eric Schultz, Sam Boyajian, Scott Coup, Mayor Frances Cross, Dan Wehmeier, Shirley Bruce Brown-VanArsdale and John Kirgan.

Staff Present: Stewart Fairburn, Melissa Mundt, Fred Sherman, David Greene, Laura Gourley, and Art Davis, facilitator

Also Present: Mayor Carol Lehman, Skip Kalb, Director of Strategic Development BNSF; Steve Forsberg, Director Corporate Relations BNSF; Scott Goehri, HDR; Rita Moore, Edgerton City Clerk; and Mark Taylor, Gardner News

Public present: A count by City staff indicates approximately 350 citizens in attendance.

Welcome and Introductions

Council President Dave Drovetta, Committee Chair, introduced the members of the Committee, Staff present and Art Davis, Facilitator.

Art Davis introduced the people speaking at tonight's meeting:

Claude Hobby – 30260 W. 199th Street, Gardner, Kansas 66030 and Damon Frizzel – 335 West 167th Street, Gardner, Kansas 66030.

Review and Approval of Minutes from May 9 meeting

The minutes from May 16, 2006, were approved with a change to the spelling of member Wehmeier's name.

Distribution of Public Input/Questions since May 16

Art Davis distributed the emails received since the May 16th meeting. Additionally, he noted a blue flyer that was distributed on cars and in mail boxes stating that the June 13th meeting of the Intermodal Review Committee was misstated as a Council Meeting by the Citizens for Responsible Development.

1. Presentations

Concerns Related to Proposed Intermodel Facility

Claude Hobby, Citizens for Responsible Development

Mr. Hobby states that there will be three presentations on behalf of the group he represents. The first is Damon Frizzel and the second is Paul Stonestreet. Mr. Frizzel indicates he will discuss the impact the group sees on the environment and student health. He states that he would like to see an EPA environmental impact study. Items that Mr. Frizzel indicated concerns about included:

- Diesel exhaust from trucks and locomotives—40 chemicals in the exhaust are considered toxic air containments
- Ozone depleting toxins cause trouble for asthma sufferers, increase likelihood of lung cancer, and studies show an increase in premature and low birth weights
- Impact on air quality related to the schools, would like to see BNSF monitor
- Indicated that air quality would be so bad children would not be able to go outside for recess or sports
- Fears about stormwater run off creating pollution in Hillsdale lake
- Impact of changing property from agricultural land to cement, causing erosion along tributaries leading to Hillsdale Lake
- States it will cost extra to clean water to make it drinkable

Mr. Frizzel states that there are 22 sites in Montana that BNSF has had to spend millions of dollars cleaning up, including one in North Haven. He also indicated fear about the impact of BNSF having radioactive waste, uranium, and spent nuclear fuel in the Intermodal containers.

Mr. Frizzel then turns to a discussion about the workers that would be employed at the proposed Intermodal and Logistics Park. He indicates they would create an impact on the school by having non-English speaking students. This would according to Mr. Frizzel, endanger or reduce federal funding to the schools, it would also lower the educational performance of the schools. He calls on school board and Mr. Gilhaus to take a stand on this project. He also restates the need for the environmental impact study to be completed before the project moves any further forward.

Mr. Hobby then addresses the crowd regarding his group. He discusses how this project is a quality of life reduction. He states that 80% of households they have visited are not in favor of this project. States he wants responsible development. He states that boiling down the process to annex or not annex is a lose-lose attitude. He indicates that Haslet, TX and Elwood, IL are horrible places to live --“they stink”. He states that the residents will pay for this project. He raises a concern about the lights, the abatements, and that it will take too long to do the bridge and interchange.

Paul Stonestreet spoke asking Mayor Lehman to reject the project.

2. City of Edgerton Issues

John Blackburn, President of the Edgerton City Council

Mr. Blackburn presented issues related to the City of Edgerton and the proposed Intermodal. He showed a slide with Edgerton’s proximity to the site as well as a land use map for the City, and the at grade crossings for the railroad. Mr. Blackburn noted that they need assurances from BNSF and Gardner that they will get grade separations for public safety needs and economic development. There are three intersections that can be impacted by slow or stopped trains, and it splits the city in half. He stated that Edgerton is impacted by stopped trains frequently and that by working together they can possibly solve some of the problems they have with trains today. Mr. Blackburn indicated that their new residential development might move faster because of this project, which could

also drive retail development for Edgerton. It could also drive an I-35 to K-10 connection discussion. He also notes the possibility of increased tax base diversification because of the project. He also requested that Edgerton would like to have more information on the traffic going to Topeka and Lawrence from the facility and what route they would take to do so. If the trucks were forced to I-35, they may decide to go through Edgerton to get back to 56 Highway. What they need is access to west 56 Highway directly from the site.

A question was raised whether the I-35 – K10 question was a pre-requisite for this project. Mr. Blackburn answered that it was not.

3. Environmental Review Process

David Drovetta, President, Gardner City Council

Mr. Drovetta presents information on an EPA project called the Blue Sky Ways Collaborative. The goal of the project is to improve the quality of life through collaborative relationships and promoting green technologies. This project is specific to the I-35 corridor. It includes transportation and agriculture as targets for its efforts, primarily emissions reductions and clean burning fuels such as E85. Mr. Drovetta suggests this would be a good partnership for regional air quality and have a positive impact especially related to this proposed project. He indicates that the City of Gardner should work with the Mid-America Regional Council on this program. The EPA has stated that MARC is the best resource to use.

4. Final Report concepts and organization

Art Davis, Committee Facilitator

The Committee spent time from 8:35 p.m. until 10:10 p.m. discussing the draft report presented by Art Davis. The committee worked through the following topic areas and made recommendations to language, including additions and subtractions to the draft document:

- Economic Development impacts
- Transportation impacts
- Land Use impacts
- Environmental impacts
- City Services (non-utility) impacts
- City Services –Electric impacts
- City Services –Water impacts
- City Services –Wastewater impacts

Staff is to make their suggested changes in red and strike out suggested deletions or corrections.

5. Schedule Review

Art Davis, Committee Facilitator

The Committee agreed an extra meeting was needed to work on the report. It is scheduled for June 22 at 7 p.m. at Gardner City Hall.

The meeting adjourned at 10:12 p.m.